

Remarks

Claims 13-24 are currently pending. Claims 13, 15-17, 19-21, 23 and 24 are currently amended. Claims 16, 20 and 23 have been objected to. Claims 13-24 have been rejected.

An objection was made to Claims 16, 20 and 23 for reciting the “disintegrin domain Met-420 to Glu-511 of metargidin[.]” In response to the Examiner’s guidance, the Applicants have removed this recitation. Amended Claim 16, 20 and 23 now recite “the disintegrin domain is Met-1 to Glu-91 shown in SEQ ID NO.” The Applicants respectfully request withdrawal of the objections to Claims 16, 20 and 23.

Claims 13-24 have been rejected under 35 U.S.C. §112, first paragraph as being non-enabled. The rejection states that “a polynucleotide sequence of SEQ ID NO: 1” describes “a potentially broad and diverse genus of polynucleotides” which is allegedly not enabled.

Independent Claims 13, 17 and 21 have been amended to recite “the polynucleotide sequence shown in SEQ ID NO: 1”. Claims 14, 15, 16, 18, 19, 20, 22, 23 and 24 are dependent on independent Claims 13, 17 and 21 and incorporate all the recitations of these claims. The Applicants respectfully request withdrawal of the rejections of amended Claims 13-24 under 35 U.S.C. §112, first paragraph, as being non-enabled.


Claim 15 and Claim 19 have been rejected under 35 U.S.C. §112, first paragraph, as being non-enabled. The rejection states these claims do not require that “ ‘a disintegrin domain’ is encoded by SEQ ID NO: 1.” The rejection also states that the application does not enable the use of “any part of SEQ ID NO: 11.” Claim 15 and Claim 19 have been amended to recite that “the disintegrin domain [is] encoded by the polynucleotide sequence shown in SEQ ID NO: 1[.]” The Applicants respectfully request withdrawal of the rejections of amended Claim 15 and Claim 19 under 35 U.S.C. §112, first paragraph, for non-enablement.

Claims 13-24 are rejected under 35 U.S.C. §102(e) as being anticipated by Ruben. Claims 13-24 are also rejected under 35 U.S.C. §102(e) as being anticipated by Fanslow. The Examiner has helpfully noted that these prior art rejections can be overcome by recitation of "the polynucleotide sequence of SEQ ID NO: 1[.]"

Independent Claims 13, 17 and 21 have been amended to recite "the polynucleotide sequence shown in SEQ ID NO: 1." Claims 14, 15, 16, 18, 19, 20, 22, 23 and 24 are dependent on independent Claims 13, 17 and 21 and incorporate all the recitations of these claims. The amendments to the claims are consistent with the Examiner's guidance and should overcome the prior art rejections under 35 U.S.C. §102(e). The Applicants respectfully request withdrawal of the rejections of amended Claims 13-24 under 35 U.S.C. §102(e).

In light of the foregoing, the Applicants respectfully submit that the entire Application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,



T. Daniel Christenbury
Reg. No. 31,750
Attorney for Applicants

TDC:rb
(215) 656-3381